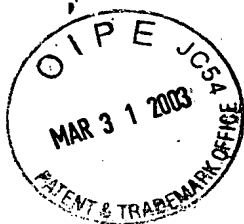


DT20 Rec'd PCT/TO 3 1 MAR 2003

PC #9



PATENT APPLICATION
Mo-6996
LeA 33,955

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF)
GUNTHER EBERZ ET AL)
SERIAL NUMBER: 10/069,353)
FILED: FEBRUARY 22, 2002)
TITLE: NUCLEIC ACIDS WHICH CODE FOR)
THE ENZYME ACTIVITIES OF THE)
SPINOSYN BIOSYNTHESIS)

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. 1.97(b)**

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

This disclosure statement under 37 CFR 1.97 & 1.98 is submitted before the first Office Action in order that the Patent and Trademark Office may consider the relevancy of certain information to the invention described and claimed in the subject application, and in compliance with the regulations concerning information disclosure statements, a copy of the document listed on the attached Form PTO 1449 is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an enveloped addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 3/25/03

Date

Raymond J. Harmuth, Reg. No. 33,896

Name of applicant, assignee or Registered Representative

Signature

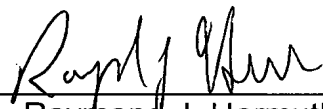
March 25, 2003

Date

Concise statements of the presently understood relevance of each of the documents are found in the specification filed.

This Information Disclosure Statement should not be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, that any document mentioned herein constitutes prior art, or that the documents listed severally or in any combination with one another or with any other information, are believed to render any claim in the subject application prima facie unpatentable.

Respectfully submitted,

By 
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Form PTO 1449 Rev. 7-80	U.S. Department of Commerce Patent and Trademark Office LIST OF PRIOR ART CITED BY APPLICANT (Use Several Sheets If Necessary)	Atty. Docket No. Mo-6996 / LeA 33,955	Serial No. 10/069,353
		Applicant Gunther Eberz et al	
		Filing Date February 22, 2002	Group

MAR 31 2003

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA					
	AB					
	AC					
	AD					
	AE					
	AF					
	AG					
	AH					
	AI					
	AJ					
	AK					

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						Yes	No*
	AL						
	AM						
	AN						
	AO						
	AP						

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR	H. A. Kirst, K. H. Michel, J. S. Myndrase, E. H. Chio, R. C. Yao, W. M. Nakasukasa, L. D. Boeck, J. L. Occlowitz, J. W. Paschal, J. B. Deeter and G. D. Thompson (month unavailable) 1992, Chapter 20, "Discovery, Isolation and Structure Elucidation of a Family of Structurally Unique, Fermentation-Derived Tetracyclic Macrolides". In: D. R. Baker, J. G. Fenyes and J. J. Steffens (Eds) Synthesis and Chemistry of Agrochemicals III (pp 214-225) American Chemical Society, Washington, DC (see pg. 220 last paragraph in connection with reference No. 33 on pg. 225).
	AS	
	AT	

EXAMINER	DATE CONSIDERED
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EXAMINER Initial if references considered, whether or not citation is in conformance with MPEP 609: Draw line through if not in conformance and not considered. Include copy of this form with next communication to applicant.

* Neither English Language Equivalent nor an English Language Translation is available.